REMARKS

Claims 1-7, 8-9, and 24-53 are pending in the application. Applicants have amended claims 1 and 9 to correct two clerical errors found in the Supplemental Preliminary Amendment, filed June 25, 2002.

Applicants hereby elect Group I, claims 1-7, 19-22, 24-29 and 46-53, drawn to methods of screening a DNA construct library, kits, expression vectors, DNA constructs. Claims 9-18 and 30-45, drawn to non-elected inventions, are withdrawn from consideration. Applicants, however, reserve the right to file one or more divisional applications covering the subject matter of the non-elected claims.

In view of the foregoing remarks, Applicants urge that the present claims are in condition for examination on the merits. Receipt of the initial Office Action on the merits is awaited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the telephone number shown below.

If there are any fees due in connection with the filing of this Response, please charge the fees to Deposit Account No. 19-0741. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to the above-mentioned Deposit Account.

Respectfully submitted,

Date 27 February 2003 By S. A. Bent

FOLEY & LARDNER
Customer Number: 22428
22428
PATENT TRADEMARK OFFICE
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768

MARKED UP VERSION SHOWING CHANGES MADE

9. (Twice Amended) A single chain monoclonal antibody fusion reagent comprising a single chain antibody fused to a trans-activation peptide, wherein said fusion reagent binds a transcription associated biomolecule within a host cell and is coded by a nucleic acid molecule produced by a method comprising:

(a) cloning a first nucleic acid fragment that codes for a DNA-binding domain peptide of a transcription activator into a first expression vector to yield a construct (1), wherein said DNA-binding domain peptide binds to a DNA regulatory sequence binding site;

(b) fusing a second nucleic acid fragment into said construct (1), in the same translation reading frame as the first nucleic acid fragment, to yield said first expression vector containing a construct (2) that encodes a chimeric DNA-binding domain/transcription associated biomolecule, wherein said second nucleic acid fragment codes for an antigenic portion of said transcription associated biomolecule that is sufficient to generate antibody capable of binding to said transcription associated biomolecule;

(c) providing said host cell containing a detectable gene that is under the transcriptional control of the DNA regulatory sequence binding site for said DNA-binding domain peptide;

(d) cloning a third [DNA] nucleic acid fragment that codes for a single chain antibody into a second expression vector to yield a construct (3), wherein said single chain antibody is expressed in a bio-active form that may bind to said antigenic portion;

(e) fusing a fourth nucleic acid fragment that codes for a trans-activation peptide into said construct (3), in the same translation reading frame as the third nucleic acid fragment to yield said expression vector containing a construct (4), encoding a chimeric single chain antibody/trans-activation peptide that may bind to said antigenic portion;

(f) introducing said first and second expression vectors into said host, such that both vectors are expressed;

(g) monitoring the expression of said detectable gene, whereby detecting said expression indicates that said fusion reagent does bind said antigenic portion within said host cell upon detection of said expression; and

(h) isolating said fusion reagent.